CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE EIGHT HUNDRED AND SEVENTIETH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 15 March 2001, at 10.15 a.m.

President: Mr. Juan Enrique Vega (Chile)

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The PRESIDENT (translated from Spanish): I declare open the 870th plenary meeting of the Conference on Disarmament.

May I begin by bidding farewell to the Ambassador of Hungary, who will shortly be leaving to take on the functions of Director of the Division for Peace, Human Rights and Democracy in the UNESCO secretariat. Ambassador Joó has represented his country in the Conference on Disarmament since June 2000 and has performed his responsibilities with devotion and diplomatic skill. I am sure that you will wish to join me in conveying to him and to his family our very best wishes for the future. I remember that Ambassador Joó was received here on the same day that I joined as representative of Chile. We are linked by that particular circumstance. Others will recall him for what he says in his farewell statement.

Ambassador Joó, you have the floor.

Mr. JOÓ (Hungary): Mr. President, it is a great pleasure to see you assume the important office of President of the Conference on Disarmament. At the outset, let me congratulate you on the creative manner in which you have conducted our proceedings. I would also like to express the appreciation of my delegation to your predecessor, Mr. Christopher Westdal, for his tireless efforts to bring our deliberations closer to consensus. I wish also to pay respect to the Secretary-General of the Conference, Mr. Vladimir Petrovsky, and his deputy, Mr. Enrique Román-Morey. Let me also express the gratitude of my delegation to all the secretariat staff for the assistance they unfailingly provide to the work of the conference. Also, I cordially welcome those colleagues who have recently joined us and wish them every success in their work.

Today the Conference on Disarmament is concluding its second month of deliberations in the 2001 session without being able to adopt a programme of work. Although we know that progress has been made under the successive presidencies as a result of collective efforts, the advance gained so far clearly has not been sufficient to make a breakthrough in our work: we are still unable to start genuine negotiations. This is a deplorable situation, Mr. President, whatever the explanation of its fundamental causes can be. My delegation fully shares the view expressed in your introductory statement, that the current stalemate cannot continue indefinitely without damaging the credibility of this body.

Among several useful proposals, document CD/1624 has indicated a possible way out of the impasse, in outlining the composite nature of a future agreement. Like many of the delegations in this chamber, we continue to see the Amorim text as a sound basis for the resumption of the substantive work of the Conference.

My delegation has also aligned itself with the statement of the European Union presidency, which, exactly one month ago, confirmed: "Three undertakings - the immediate launch of the FMCT negotiations, as well as dealing with both nuclear disarmament and the prevention of an arms race in outer space within subsidiary bodies whose mandates shall need to be both pragmatic and substantial in order to be accepted by all - taken together, constitute the basis today for an agreement upon which we can begin our work."

(Mr. Joó, Hungary)

The resumption of FMCT negotiations continues to be a high priority for Hungary. Our standpoint was clearly stated during the NPT Review Conference and repeated at the last session of the First Committee in New York. A fissile material cut-off treaty is of critical importance to disarmament, non-proliferation and international security. The urgent need to commence negotiations was also confirmed by the Final Document of the NPT Conference. Therefore, the start of these negotiations should be the next step. Hungary supports all practical suggestions and initiatives which can move the cause of the cut-off treaty in the right direction. For this reason, we welcomed wholeheartedly the seminar on the verification of a fissile material cut-off treaty held yesterday in this building at the joint initiative of the German delegation and UNIDIR.

Hungary is committed to multilateral security arrangements. It therefore strongly supports the conduct of negotiations in the Conference on Disarmament, maintaining the unique role of this forum in international diplomacy today. In the same spirit, we attach great importance to other non-proliferation and arms-control negotiations which take place outside the Conference on Disarmament.

At this point, let me make a few observations concerning the activities of the Ad Hoc Group negotiating a protocol to strengthen the Biological and Toxin Weapons Convention. Since Hungary chairs the Ad Hoc Group, our special commitment to bringing the negotiations to a successful conclusion needs no detailed explanation. Our assessment is that significant progress has been made towards reaching this objective. The results achieved so far are encouraging and lead us to believe that the Group is in a good position to complete the negotiations in a time-frame enabling it to submit the draft protocol for adoption relatively soon. This can be done at a special conference to be held prior to the Fifth Review Conference in November-December this year. We call upon States Parties to redouble their efforts to implement the relevant decisions of the Fourth Review Conference and make the political decisions necessary for it. Against the background of the stalemate in other multilateral disarmament forums, including the Conference on Disarmament, the adoption of the protocol would gain even greater significance by demonstrating the determination of the international community to counter the threat posed by the proliferation of weapons of mass destruction.

My country remains interested in engaging with other States to counter the humanitarian difficulties caused by anti-personnel landmines. Last year Hungary co-chaired the Standing Committee of Experts on Stockpile Destruction, set up to carry out the provisions of the Ottawa Convention. The support and the interest we received during the Standing Committee meetings encouraged us to widen and further develop the international programme of stockpile destruction. It was in that spirit that, last February, the Hungarian Ministry of Foreign Affairs, together with the Ministry of Foreign Affairs of Canada, organized a regional expert seminar in Budapest. The topic of the seminar was the destruction of the so-called "butterfly mines", developed in the former Soviet Union, and stockpiled in many countries of the region. Based on our experiences, we believe that global initiatives in respect of anti-personnel mines can best be implemented by securing cooperation at the regional level. For this reason, we continue to be committed to various regional efforts.

(Mr. Joó, Hungary)

The uncontrolled proliferation and destabilizing accumulation of small arms and light weapons fuel regional conflicts in which civilians are increasingly the victims of violence. Illicit and irresponsible transfers, in the region of conflict in Europe, entail increased danger to the neighbouring countries as well as to the civilian populations living there. Large-scale and uncontrolled arms availability hinders the post-conflict recovery of States, slows down the process of stabilization and multiplies the cost of every peace settlement.

Hungary favours effective and widely acceptable measures to prevent destabilizing flows of small weapons. We believe that concerted efforts are needed to develop norms, guidelines and practical measures covering all aspects of this issue. These include, among others, improvement of national controls on the traceability of small arms, increased transparency, reinforced export control mechanisms and enhanced cooperation among national agencies at regional and wider international levels. In order to make the current system more effective we favour regionally focused approaches based on universally accepted principles.

The negotiations on the issues I have just mentioned are held outside the Conference on Disarmament. The challenges at those forums are also enormous and the international community is still awaiting their accomplishment. This fact obviously does not reduce the Conference's own responsibility, as the sole standing negotiation forum on disarmament. On the contrary, substantive progress in any of the negotiations mentioned above could even make more evident the imperative need to moving this Conference out of its current deadlock.

We do not think that the Conference on Disarmament lacks good ideas and proposals about the way ahead. What we really need is the political determination to implement them. At this point, let me reiterate out willingness to support all initiatives which are able to bring the Conference closer to consensus. I would also like to pledge the continuous cooperation of my delegation with all efforts aimed at the commencement of a genuine dialogue in the Conference.

(continued in French)

Mr. President, I have asked for the floor not merely to confirm Hungary's position on questions related to the work of the Conference on Disarmament, but also to take leave of this distinguished house. Very soon I shall be taking up new responsibilities as an international official at UNESCO headquarters in Paris. Before leaving my position as Ambassador, I would like to extend my thanks to delegations represented here in the Conference for their cooperation and the excellent relations we have been able to develop, despite the brevity of my appointment here in Geneva.

In conclusion, Mr. President, allow me to recall here a personal memory. Shortly after our accreditation here in Geneva as new ambassadors, you and I met by chance, following a reception which was held somewhere in the Palais. We were both looking for the way out of this building, roaming through corridors with which we were as yet unfamiliar. As far as I recall, after a little hesitation, we managed to find the right way out of the building, which at that time was like a real labyrinth to us.

(Mr. Joó, Hungary)

Needless to say, finding a way out of the vicious circle in which the Conference on Disarmament has been stuck for so many years now is an incomparably more complex task. Nevertheless, and despite a series of disappointments, many delegations believe that there must exist a way out of the labyrinth. As I take leave of the Conference, I sincerely hope that, for its own sake, this forum will find the way out as soon as possible.

The PRESIDENT (translated from Spanish): I also remember that occasion, how we became acquainted when we were lost. I do not know whether we are still lost here but we shall endeavour to find a way out. I wish every success to you and your family in your new duties. Our colleagues here in the Conference will, I am sure, all share those wishes.

The next speaker on my list is the Ambassador of France, Ambassador de La Fortelle.

Mr. de LA FORTELLE (France) (translated from French): Mr. President, at the plenary meeting of the Conference on Disarmament which was held on 8 February my colleague and friend Ambassador Christian Faessler announced the holding of a Franco-Swiss seminary on the traceability of small arms and light weapons, covering the issues of tracing, marking and registration.

As many delegates know, since they took part in that event, the seminar was held here in Geneva on 12 and 13 March 2001. About 200 representatives of more than 90 States were present. The event was also attended by representatives of the United Nations and other international organizations, technical experts and representatives of non-governmental organizations. Ambassador Dos Santos, chair of the Preparatory Committee of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in all its Aspects, which will be held in New York in July 2001, also took active part in the seminar.

The discussion covered technical aspects relating to the tracing, marking and registering of small arms and light weapons and also dealt with the more legal and political approach which could lead to the negotiation of an international agreement in this area. A chair's summary has been made available to participating delegations. We would like to request that the text be published as an official document of the Conference on Disarmament and distributed to all States members of the Conference and to non-member States participating in its work.

I would not like to finish this short statement without wishing our Hungarian colleague, Ambassador Joó, professional fulfilment in his high-level position at UNESCO and also - and above all - much personal happiness during his stay in Paris.

The PRESIDENT (translated from Spanish): In the absence of any other requests for the floor from delegations and since this is the last session which I shall be chairing in the Conference, I believe that the time has come to offer a summary and draw some conclusions from our term of office as President of the Conference.

The first thing that I would like to say is that I am not disappointed either with the work performed over this period or with the results achieved. While we still do not have a programme

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of work - which is indeed regrettable - we have demonstrated that the Conference is a body of great vitality. It is a storehouse of experience in the cause of world disarmament. It cannot and must not be allowed to go to waste. For this same reason there is a justifiable sense of frustration about the time which has not been properly used.

The Chilean presidency based its work on the mandate to be found in paragraph 36 of the 2000 report of the Conference on Disarmament to the General Assembly, which entrusts presidents Dragonov and Westdal with the task of continuing intensive consultations based on the so-called Amorim proposal found in document CD/1624. This mandate, which derived from specific consultations conducted with groups in the Conference and with China, has been extended until the task is completed or the Conference decides otherwise.

This is of great importance because, as we have indicated in our consultations, it reflects the progress made over a period of at least two years. The Amorim proposal, which we should really call the "Amorim process", is a result of the efforts of various presidents, who have tested various formulas to achieve rapprochement within the Conference. These include Ambassadors Rodriguez Cedeño, Dembri, Kreid and Lint.

Notwithstanding the difficulties which we can see today as a result of the international political situation and the tendency towards unilateralism displayed by some of the main players, in the view of the majority of the members of the Conference the Amorim proposal remains valid as the basis for efforts to achieve approval of a programme of work.

The Amorim process is a valuable legacy which we must safeguard in the interests of the Conference itself. If we had to start this process again from scratch, after a few months we would probably come up with a very similar concept. Many delegations have drawn attention to the significant progress implicit in the general willingness to establish, for the first time after a period of 30 years, an ad hoc committee on nuclear disarmament. We share that view and, consequently, one of our principal objectives has been to preserve the political and legal status of the Amorim proposal, so that it may continue to form the basis for presidential consultations.

Based on that mandate our presidency - which encompasses not merely the president but also the members of the Chilean mission - conducted intensive consultations using various formats, such as bilateral consultations and working meetings with groups in the Conference and with their coordinators, and also applying new cross-cutting ideas reflecting emerging tendencies. The consultations have encompassed virtually all members of the Conference, with the exception of a few delegations which, while requested to participate, were unable to attend.

We wish to engage in an exercise in transparency. We have consulted and studied the problem directly with the Conference. We have shared with you our ideas on possible alternatives, applying a degree of that candour which we believe is occasionally necessary in diplomatic work.

The consultations by the Chilean presidency were conducted on the basis of three analytical scenarios. The first was acceptance of the Amorim package as set forth in

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document CD/1624. The consultations established that this first scenario remains unlikely, given the diverging positions of various actors who continue to be separated by as yet unbridgeable gaps. Barring unforeseeable events outside the Conference, we do not believe that this scenario can be brought to reality in the short term.

The second scenario involves amending the text of the draft decision found in document CD/1624, with a view to incorporating more explicitly the requirements of a number of the Conference's member States in paragraphs 1 and 3. These refer respectively to the mandate for the ad hoc committees on nuclear disarmament and PAROS. Our consultations suggest that this approach, which was explored to a certain extent by Ambassador Westdal during his term of office and complemented by a New Zealand proposal put forward in the first session of informal open-ended consultations held this year, is also unlikely to lead to consensus. Meeting the requirements set by some would only widen the gap between them and others.

The third scenario would be to recast the draft presidential declaration found in document CD/1624 in such a way as to strengthen the nature and the ultimate negotiating thrust of all the mandates contained in the draft decision. This approach, which employs the idea of an interpretative presidential declaration for that purpose, could, in our view, lead to approval of a programme of work, so long as all the players involved agree to engage in an exercise of "constructive ambiguity". Following this approach would mean setting the Conference on Disarmament as our prime objective and require us to set aside considerations of precise language.

Our consultations suggest that there is some glimmer of hope in this approach. It might even be possible, as a step towards dislodging the Conference from its present stalemate, to consider having a presidential statement that, independently of the Amorim proposal, refers to certain principle elements, such as reaffirmation that the Conference on Disarmament is the sole multilateral forum for the negotiation of universal disarmament instruments and that all matters coming before the Conference may be subject to negotiation. It could also emphasize that the subsidiary bodies and their mandates should help open paths for the commencement of negotiations.

Our successors will have to continue exploring this possibility. We leave these ideas for further consideration.

Our consultations suggest in addition that, within the Conference on Disarmament, there is an important school of thought whose adherents wish to take advantage of its time and resources until consensus is reached on a programme of work. All the members of the Conference whom we have consulted consider that our first task is to achieve a programme of work and to get down to substantive work. They all agree that the Conference on Disarmament is primarily a forum for negotiation. We wholeheartedly share both views.

To many delegations, however, these defining factors do not exclude the performance of what - from the outset - we have preferred to call "complementary activities". These possible

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actions we continue to understand as complementary to the principal effort and not as a substitute for that effort. That is why we have avoided referring to a "plan B", which, merely by its vivid title, might lead to the mistaken belief that its content is being put forward as an alternative to the quest for a programme of work. We are of the view that there should be no such alternative.

To discuss the question of "complementary activities" informal open-ended consultations were convened during the third week of this presidency. In the resulting debate we were able to identify at least four proposals or ideas which, in our view, have sufficient interest and potential to warrant further exploration.

First of these is the proposal by Myanmar to conduct a structured debate, within the framework of our plenary meetings, on the substantive items of the adopted agenda. This proposal has been formulated and circulated in writing which obviates the need for further comments by us at this stage.

After this, Germany proposed revising the agenda, which has been with us without extensive amendments for 20 years now and which contains no reference to certain important issues which, although they could lie within the purview of the Conference on Disarmament, are dealt with outside this forum. Germany also considered the appointment of special coordinators, pursuant to decision CD/1036, to explore and foster consensus on one substantive issue and their appointment, ipso facto, presupposes the absence of such consensus. Their appointment should also not be linked to an overall consensus on the programme of work. Germany also believes that it might be appropriate to reactivate the special coordinators for the reform of the Conference on Disarmament.

For its part, Italy suggests that the presidencies should continue holding intensive consultations on the three most extensive and complex items: nuclear disarmament, FMCT and PAROS, and that, in the meantime, we should begin complementary activities on other matters, such as negative security assurances, transparency in armaments, landmines and possible reforms to the Conference on Disarmament, which in their view seem to be less contentious. But, as the Italian delegation itself acknowledged in its statement last Thursday, these are not entirely free of controversy. This is a kind "piccolo" programme package.

Finally, Mexico has drawn our attention to the various possibilities offered by the Conference's own rules of procedure. Articles 19 and 23 are drafted in very flexible terms and would provide for all kinds of informal consultations, with or without experts, the establishment of a great range of subsidiary bodies, including subcommittees, technical groups and expert groups, offering wide scope for our imagination.

We have listened very carefully to the various reactions to all these proposals and ideas, which offer further evidence of the creative capital to be found in the Conference on Disarmament. Nevertheless, we are convinced that it would be premature to draw conclusions today from last Thursday's debate. The ideas which we have briefly referred to in this presentation offer prospects for action and merit further study and consultations.

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We have also heard the suggestion that it might be useful to appoint a special coordinator specifically to address the question of complementary actions. This is an idea which we would also leave open for consideration by those who will continue the search for a way out of the present deadlock. Many have referred to the need to modernize our procedures. Certain aspects of this issue are covered by the report which was coordinated by my predecessor, Ambassador Illanes, on an earlier occasion.

Last of all, I would like to say a number of things, speaking in my capacity as representative of Chile. The present situation calls for a certain measure of optimism. We should understand that an invaluable effort is being made here to keep the door open for dialogue and reflection among member countries. A wealth of experience and specific technical knowledge has also been generated in the process.

These capacities are only waiting for the necessary "critical mass" to be attained, which, depending on international political events, would render them sufficiently powerful to come into play and, ultimately, to enable the Conference on Disarmament to begin its negotiating activities.

We should bear in mind that each successive presidency and each successive year represent contributions to the disarmament process and to international security and, therefore, to world peace. An important factor in this regard is the continuity inherent in the work of the Conference on Disarmament.

We would like to emphasize that we firmly believe in the Conference on Disarmament as a multilateral forum of prime importance for world security. This conviction leads us to reaffirm the need to persevere in our endeavours to break its stalemate.

When we observe in some of those among us what we might describe as a sense of defeatism or disenchantment, which is leading some to pronounce the Conference dead, we cannot help feeling that if the Conference on Disarmament did not exist we would be hard at work to establish it.

At another level, we believe that the Conference on Disarmament is a body which should be made more democratic. This is not the time to dwell on that issue but we will work in due course to achieve that goal.

When we commenced our term of office we observed that we would not be taking on our shoulders responsibilities which did not belong to us. To achieve consensus on a programme of work is a task shared by all the members of the Conference and not that of the President alone, who, in the best of all possible worlds, can serve only as a facilitator and articulator of ideas in the search for consensus.

Nevertheless, this collective responsibility is not evenly apportioned among us all. I cannot and I should not fail to state my conviction that the States which have opted for nuclear weapons and nuclear deterrents have a greater responsibility for shifting the Conference out of

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its stalemate. We would like to see them shoulder that responsibility. The security interests of States are legitimate but in no event should they be placed above international collective security.

Finally, I would like to express my appreciation for having had the opportunity to exercise this responsibility. At no point have I regretted it. On the contrary, it has been an experience that will remain with me always. I would also like to express my thanks to the Conference secretariat, to the Secretary-General of the Conference, Ambassador Petrovsky, to the Deputy Secretary-General of the Conference, Ambassador Román-Morey, to Mr. Jerzy Zaleski and to all members of the office, who have cooperated so effectively and so selflessly. We also extend our appreciation to the interpreters and the conference room staff.

Now, a special word for the members of the missions, ambassadors and colleagues with whom we have interacted here. It has been a great pleasure to work with you. Thank you for your encouragement and respect.

I must also make particular mention of the members of the Chilean Mission. They have all played essential roles in the performance of this work. I pay my respects to Ambassador Raimundo González, Minister-Counsellor Alfredo Labbé and Counsellors Waldemar Coutts and Rodrigo Espinoza. Thank you for your devotion, imagination and patience with me. Special mention also goes to Marcos Sánchez, who has had to struggle with the difficulties that I have with all the languages of the world, including my own.

Thank you very much.

It only remains for me now to wish my successor in the presidency, Ambassador Hu of China, every success in his term of office. He may count on our full cooperation.

In addition, I would like to announce that, in yesterday's presidential consultations, it was agreed to change the date of the plenary meeting of Thursday, 29 March, to Tuesday, 27 March, in view of activities being conducted on the initiative of the Swiss and Netherlands Governments which will involve a large number of the members of the Conference.

That concludes our work for today. The next plenary meeting of the Conference will be held on Thursday, 22 March 2001, at 10 a.m.

The meeting rose at 10.50 a.m.